IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 13TH NOVEMBER 2007 / 22ND KARTHIKA 1929

W.P.(C).No. **33311** of **2007** - N

PETITIONER:

K.V. JOY,
GOVT. CONTRACTOR, KALLAPPARA HOUSE, KUMARAPURAM P.O.,
ALUVA VIA., ERNAKULAM DISTRICT.

BY ADV. SRI.BABU JOSEPH KURUVATHAZHA
SRI.K.I.SAGEER

RESPONDENTS:

1. STATE OF KERALA,
REP. BY ITS SECRETARY TO GOVERNMENT, DEPT. OF
PUBLIC WORKS, GOVT.SECRETARIAT,THIRUVANANTHAPURAM.

2. THE PRINCIPAL SECRETARY TO GOVERNMENT,
DEPT. OF FINANCE, GOVT.SECRETARIAT,
THIRUVANANTHAPURAM.

3. THE SUPERINTENDING ENGINEER,
P.W.D. ROADS & BRIDGES, CENTRAL CIRCLE, ALUVA,
ERNAKULAM.

4. THE EXECUTIVE ENGINEER,
P.W.D. ROADS & BRIDGES DIVISION, ERNAKULAM.

5. THE CHIEF ENGINEER,
P.W.D. ROADS & BRIDGES, THIRUVANANTHAPURAM.

BY GOVT. PLEADER, SRI.I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 33311 OF 2007 N
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Dated this the 13th November, 2007

J U D G M E N T

Petitioner was awarded a work of construction of the bridge across Kadamprayar River. He submits that although a period of 24 months was prescribed for the completion of the work the same could not be achieved for the fault of the respondents themselves. In the meantime, taking into account the developments that have taken place, the 5th respondent by Ext. P2 letter recommended a revision of rates and forwarded the same to the 1st respondent for his consideration. Petitioner submits that since then there has not been any progress in the matter despite various representations that have been made by him. It is in this background the present writ petition has been filed.

2. The only relief that is sought for by the petitioner is to direct the 1st respondent to take a final decision on Ext. P2 recommendation of the 5th respondent. A reading of Ext. P2 shows that the 5th

respondent had sought a revision of rates for the work done by the petitioner after the agreed period of completion of the work. If as a matter of fact such a recommendation has been made by the 5th respondent and the issue is still pending with the 1st respondent, the 1st respondent has to take a final decision in the matter. Accordingly, I dispose of this writ petition directing the 1st respondent to take a final decision on Ext. P2 as expeditiously as possible, at any rate within a period of 2 months of receipt of a copy of this judgment.

Petitioner shall produce a copy of this judgment before the 1st respondent for compliance.

ANTONY DOMINIC
JUDGE

jan/-